REMARKS/ARGUMENTS

Claims 1-7, 11-19, 23, and 25-27 are pending.

Claims 8-10, 20-22, and 24 have been cancelled.

Claims 28-35 have been added.

In the Office Action dated December 12, 2008, claims 1, 4, 13, 19, and 23 were rejected under 35 U.S.C. § 103(a) as unpatentable over Williams, Jr. (U.S. Patent No. 6,202,211) and Accarie (U.S. Publication No. 2003/0048757) in view of Salmonsen (U.S. Publication No. 2004/0049797); and claims 2, 3, 5, 6, 7, 11, 12, 14-18, and 25-27 were rejected under 35 U.S.C. § 103(a) as unpatentable over Williams, Jr. and Accarie and in view of Salmonsen and in view of Hunter (U.S. Publication No. 2002/0056118).

It is respectfully submitted that the obviousness rejection of independent claim 1 over Williams, Accarie, and Salmonsen is in error.

To make a determination under 35 U.S.C. § 103, several basic factual inquiries must be performed, including determining the scope and content of the prior art, and ascertaining the differences between the prior art and the claims at issue. *Graham v. John Deere Co.*, 383 U.S. 1, 17, 148 U.S.P.Q. 459 (1965). Moreover, as held by the U.S. Supreme Court, it is important to identify a reason that would have prompted a person of ordinary skill in the art to combine reference teachings in the manner that the claimed invention does. *KSR International Co. v. Teleflex, Inc.*, 127 S. Ct. 1727, 1741, 82 U.S.P.Q.2d 1385 (2007).

Here, it is clear that even if Williams, Accarie, and Salmonsen were to be hypothetically combined, the hypothetical combination of these references would not teach or hint at the claimed subject matter.

Specifically, claim 1 recites a sink component that is configured to, *inter alia*, present to a user a filtered aggregated listing of the A/V program data available from each of the plurality of source components **based on a type of the presentation device**. The Office Action stated that Williams and Accarie "are unclear on a listing of program data based on type of the presentation device." 12/12/2008 Office Action at 5. This appears to be a concession that Williams and Accarie do not disclose presenting to a user a filtered aggregated listing of the A/V program data available from each of the plurality of

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source components based on a type of the presentation device. However, the Office Action cited Salmonsen as purportedly disclosing this feature, citing specifically to ¶¶ [0147] and [0148] of Salmonsen. These two paragraphs of Salmonsen refer to an audio-visual system that includes PC-based software for interacting with an audio-visual device such as a DVD player. Paragraph [0147] of Salmonsen notes that the DVD player includes an emulator, and that the software supplies information to the emulator.

Paragraph [0148] of Salmonsen refers to media management software that supplies content in various formats for access by a server. The cited paragraph notes that the media management software is able to supply various types of content files. The cited paragraph also notes that the media management software is able to supply play lists and graphical user interface information such as navigation information and graphic elements.

Although reference is made to supplying play lists, there is no hint given in either of these passages of Salmonsen regarding presenting to a user a **filtered** aggregated listing of the A/V program data available from each of the plurality of source components based on a **type** of the presentation device. Thus, the Office Action is factually incorrect in stating that ¶¶ [0147]-[0148] of Salmonsen disclose a play list that is based on a type of presentation device.

The Office Action also cited ¶ [0105] of Salmonsen, which refers to a media renderer that includes a video object block (VOB) transcoder to convert from MPEG format to VOB files that are the standard format of DVD presentations and movies. However, there is nothing here that even remotely hints at presenting to a user a filtered aggregated listing of A/V program data based on a type of the presentation device.

The Response to Arguments section of the Office Action further stated that Fig. 15 of Williams "does suggest a listing of program data based on the type of presentation data." Specifically, the Office Action pointed to the channel table in Fig. 15 of Williams. The channel table 117 shows the channel assigned to each desktop. Williams, 11:14-16. Note that a "desktop" as used in Williams refers to a desktop maintained on a server PC for a corresponding set top box. Mapping channels to desktops in the table 117 of Williams does not constitute presenting to a user a filtered aggregated listing of the A/V

program data available from each of the plurality of source components based on a type of the presentation device.

The Office Action further argued that Accarie "does suggest a listing of program data based on type of presentation data," citing specifically to ¶¶ [0406]-[0408] of Accarie. 12/12/2008 Office Action at 3. The cited passages of Accarie refer to a learning function to learn second remote control signals sent by a remote control pack specific to a terminal. Learning remote control signals, as taught by Accarie, has nothing to do with presenting a filtered aggregated listing based on a type of the presentation device, as claimed. The Office Action also referred to Fig. 10 of Accarie, which shows a remote control. There is nothing in this diagram of Accarie, or in the text accompanying this diagram, relating to presenting a filtered aggregated listing of A/V program data based on a type of the presentation device.

In view of the foregoing, it is clear that the hypothetical combination of the references does not provide any teaching or hint of the claimed subject matter. The obviousness rejection is therefore defective for at least this reason.

Moreover, a person of ordinary skill in the art would not have been prompted to combine the teachings of Williams, Accarie, and Salmonsen to achieve the claimed subject matter. As noted above, none of the references provide any hint of a sink component configured to present to a user a filtered aggregated listing of the A/V program data available from each of the plurality of source components based on a type of a presentation device. Absent the teachings provided by the present invention, this person of ordinary skill in the art would merely have provided a play list, as taught by Salmonsen, without any regard to a **type** of the presentation device. The only apparent basis for making the allegation of obviousness based on Williams, Accarie, and Salmonsen, is impermissible hindsight that has benefited from the teachings of the present invention. Since no objective evidence exists that would indicate that a person of ordinary skill in the art would have been prompted to combine these cited references to achieve the claimed invention, the obviousness rejection is further defective for this additional reason.

Independent claims 13, 23, and 34 are allowable for similar reasons as claim 1.

Dependent claims, including newly added dependent claims 28-33 and 35, are allowable for at least the same reasons as corresponding independent claims. In view of the defective rejection of base claims over Williams, Accarie, and Salmonsen, it is respectfully submitted that the obviousness rejection of dependent claims over Williams, Accarie, Salmonsen, and Hunter is also defective.

Allowance of all claims is therefore respectfully requested.

The Commissioner is authorized to charge any additional fees and/or credit any overpayment to Deposit Account No. 08-2025 (200207102-1).

Respectfully submitted,

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